

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

XENOPHON XAYAMONTY,

Defendant.

Case No. 3:20-cr-00014-JMK

**ORDER RE FINAL REPORT AND  
RECOMMENDATION OF THE  
MAGISTRATE JUDGE UPON A  
PLEA OF GUILTY**

A plea agreement was filed in this case at Docket 66.<sup>1</sup> Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter was referred to the Honorable Magistrate Judge Deborah M. Smith by the District Court, with the written and oral consents of Defendant, counsel for Defendant, and counsel for the United States. A proposed change of plea hearing was held before the magistrate judge at which Mr. Xayamonty entered a guilty plea to Count 1 of the Indictment, which is a violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A), Distribution of Methamphetamine; and Count 4, which is a violation of 18 U.S.C. §924(c)(1)(A)(i), Carrying a Firearm During a Drug Trafficking Crime.

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<sup>1</sup> Additionally, Sealed Plea Agreement Addendums were filed at Docket 67.

Judge Smith issued a Final Report and Recommendation at Docket 71, in which she recommended that the District Court accept the Defendant's plea of guilty to Counts 1 and 4 of the indictment. No objections to the Final Report and Recommendation have been filed.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1). The Court has reviewed the Final Report and Recommendation and adopts it. Accordingly, IT IS ORDERED that the Court ACCEPTS Defendant's plea of guilty to Count 1, Distribution of Methamphetamine, and Count 4, Carrying a Firearm During a Drug Trafficking Crime, and Defendant is adjudged GUILTY of Counts 1 and 4.

The Imposition of Sentence hearing in this matter is confirmed for June 3, 2022, at 10:00 a.m. in Anchorage Courtroom 3.

DATED this 6th day of April, 2022, at Anchorage, Alaska.

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*/s/ Joshua M. Kindred*  
JOSHUA M. KINDRED  
United States District Judge